

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

| | | |
|-------------------------------|---|--------------------|
| ERIK T. ROBINSON | : | CIVIL ACTION |
| | : | |
| v. | : | |
| | : | |
| THE CERVELLE GROUP LLC et al. | : | NO. 08-cv-01592-JF |

ORDER

AND NOW, this 24th day of September 2008, upon consideration of Defendant Cervelle Group's Motion to Dismiss and Plaintiff's response thereto,

IT IS ORDERED that Defendant's Motion to Dismiss is GRANTED and the action is DISMISSED without prejudice to Plaintiff's ability to pursue his claims in state court. Plaintiff has failed to state a valid claim for a Rule 10b-5 violation, and this Court lacks subject-matter jurisdiction over Plaintiff's remaining two claims.

IT IS further ORDERED that all other pending motions in this case are DISMISSED AS MOOT. The Clerk is directed to mark the case-file CLOSED.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.